

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:09-CR-66-BR  
No. 4:12-CV-78-BR

DEMAZ ALSTON, )  
Petitioner, )  
 )  
v. )  
 )  
UNITED STATES OF AMERICA, )  
Respondent. )

O R D E R

Having conducted an examination of petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings and it appearing that dismissal is not warranted at this time, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

This 3 May 2012.



W. Earl Britt

Senior U.S. District Judge